

NIH TRAVEL POLICY

1500-10-00 Temporary Duty (TDY) Travel and Relocation of Non-FTE Persons (Includes: Visiting Fellows, IRTA's, CRTA's, Special Volunteers, Guest Researchers, and IPA's (Detailee))

A. Purpose. This chapter sets forth Department and NIH policies and procedures pertaining to official Government travel and relocation allowances, its authorization and performance, and submission of claims for reimbursement of expenses. It is intended to assist non-FTE persons who are required to travel on official Government business and who are eligible for certain relocation allowances, as well as personnel responsible for the administration of travel regulations. For the purpose of this chapter, Non-FTE persons are individuals who do not receive civil service appointments and, 1) are retained by NIH to conduct research under a training or other agreement; 2) engage in scientific studies and investigations using NIH research facilities, 3) provide research services, direct patient care, or other types of services for NIH on a voluntary basis, or 4) are involved in a temporary exchange agreement between the Federal Government and a State or local government and institutions of higher education. Individuals described in (2) and (3) above receive no compensation from NIH.

NOTE: The travel policies and procedures applicable for Consultants, Experts, and Private Citizens can be referenced in NIH Manual 1500 Chapter 12 and the travel policies and procedures applicable for Patients, Escorts, and Attendants can be referenced in NIH Manual 1500 Chapter 14 (pending release).

B. Authority. Information, regulations, and legislative authority used in these guidelines can be referenced in detail at 42 CFR Part 61 Subpart A; 42 CFR Part 63; 45 CFR 9; 42 U.S.C. 282; 42 U.S.C. 284; and 5 U.S.C. 3374 or 5 U.S.C. 3372.

C. Definitions.

1) Non-FTE Person. A non-FTE person is someone who serves in some capacity while engaged in research and scientific related programs or activities for or at the NIH but does not meet the definition of "employee" provided in FTR Part 301-1.2 and Chapter 01 of this Manual. For example, a non-FTE person is, **a)** an individual who receives a fellowship award to support research and scientific activity (See 42 CFR 61.3 (a)); **b)** an individual who receives an award of funds authorizing research training or a traineeship which includes the individual's subsistence and other expenses during a period in which the awardee is acquiring the research training approved under the award (See 42 CFR 63.2); **c)** an individual who provides research services, direct patient care, clerical support, technical assistance, or other necessary services for NIH, on a voluntary basis, without compensation by NIH (See 45 CFR 57(a)); **d)** scientists, engineers, and students who are permitted to engage in scientific studies and investigations using the research

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facilities of the NIH. These individuals provide no direct service to NIH (See 45 CFR 9); and **e)** an individual detailed under the Intergovernmental Personnel Act (IPA) who participates in a temporary exchange program between NIH and a State or local government or an institution of higher education for various purposes (See 5 U.S.C. 3372 and 3374).

2) CRADA. Under 15 U.S.C. 3710a (b)(3)(A), a Government-operated Federal laboratory may accept, retain, and use funds from a collaborating party pursuant to a CRADA agreement. A CRADA is identified by a unique CAN and the acceptance of payment is transacted similarly to that of a direct appropriation account.

D. NIH Policies (Program Administration/Legislative Authority). Policies/statutes pertaining to non-FTE persons can be referenced as follows:

1) Intramural Research Training Award (IRTA) Program - NIH Manual Issuance 2300-320-7, Appendix 6;

<http://www1.od.nih.gov/oma/manualchapters/person/2300-320-7/>

2) Cancer Research Training Award (CRTA) Program (Memo: Delegation of Signature Authority for Non-FTE Mechanisms) - NCI Office of Management Analysis Intranet Web Site;

<http://camp.nci.nih.gov/admin/oem/mab/delnonfm.htm>

3) Visiting Fellow Program - NIH Manual Chapter 2300-320-3 - (Current version dated 1987 is being revised to reflect updated policies and procedures);

<http://www1.od.nih.gov/oma/manualchapters/person/23320-3.htm>

4) Special Volunteers - NIH Manual Chapter 2300-308-1.

5) Guest Researchers - NIH Manual Chapter 2300-308-1.

<http://www1.od.nih.gov/oma/manualchapters/person/2300-308-1/>

6) IPA's (Detailee) - HHS Travel Manual Chapter 2-10 (pending release).

<http://www.hhs.gov/of/travel/depguid.html>

E. General.

1) TDY Travel Provisions. Additional allowances and benefits for non-FTE persons may be authorized by and are at the discretion of the appropriate official, taking into account the cost of living and other factors such as the requirements of the training or fellowship program and availability of discretionary funds. Discretionary allowances and

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benefits may include: **a)** payment of temporary duty travel (TDY) allowances for attendance at scientific meetings or training at a remote site; and **b)** payment of travel to a pre-award interview for Trainees, Special Volunteers, and IPA Detailees. **NOTE:** IC funds are not to be authorized for pre-award interview travel or training of Guest Researchers.

TDY travel for non-FTE persons is initiated, authorized/approved and processed in a similar manner as it is for employee TDY travel (See NIH Manual Chapter 1500, Chapter 01-02 for further information and guidance and NIH Manual 1130, Delegations of Authority, Travel No. 3 “Domestic Travel”).

2) Relocation Allowances.

a) **Visiting Fellow** - At the discretion of the IC Scientific Director, the individual and his/her dependents may be authorized up to \$3,000 to cover the costs of travel, per diem, shipment of household goods, and temporary storage from the point of departure/origin to the NIH. No allowances are permitted for return travel following completion of the assignment.

b) **IRTA/CRTA** - At the discretion of the IC Scientific Director, the individual and his/her dependents may be authorized up to \$3,000 to cover the costs of travel, per diem, shipment of household goods and temporary storage to the NIH. No allowances are permitted for return travel following completion of the assignment.

c) **Special Volunteer** - At the discretion of the IC Scientific Director, the individual only, may be authorized costs to cover travel expenses to the duty station. No allowances are permitted for return travel following completion of the assignment.

d) **Guest Researchers** - No allowances may be authorized.

e) **IPA Detailees** - IPA detailees may be authorized relocation allowances as determined by the appropriate delegated official in line with HHS Travel Chapter 2-10 “Travel and Transportation Expenses Under the Intergovernmental Personnel Act”, (pending release).

Relocation allowances for non-FTE persons are initiated and processed in a similar manner as they are for employee relocations (See NIH Manual Chapter 1500, Chapter 09 “Relocation Allowances” for further information and guidance.

3) Policies and Procedures. For the travel and relocation provisions in sections **(E1)** and **(E2)** above, the policies and procedures outlined for employees in the applicable

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chapters contained in NIH Manual Chapter 1500 should also be used as a reference source for non-FTE persons with the following exceptions:

- a) Non-FTE persons are exempt from the requirements in FTR 301-51.1 and can **NOT** be authorized a Government-issued charge card (See NIH Manual Issuance 1500, Chapter 05-02 and Chapter 15-01 for further information and guidance).
- b) Non-FTE persons may not be issued an “official Government passport” (See NIH Manual Issuance 1500, Chapter 07-03 for further information and guidance).
- c) Non-FTE persons are not bound by any formal service agreement requirements when relocating and all corresponding allowances and types of benefits are authorized on a discretionary basis.
- d) For the purpose of relocating to the first duty assignment, Visiting Fellows, IRTA’s, CRTA’s, and Special Volunteers are not eligible for an advance of funds.

F. Sources of Payment for Non-FTE Person Travel Expenses.

1) Use of Appropriated Funds. If the circumstances surrounding the travel are such that the interchange of information with scientists, researchers, and academicians at institutions, foundations, and learned societies is of significant benefit to the NIH mission and warrants the non-FTE person’s attendance and/or participation, then the Institute should use appropriated funds for the travel and related expenses on behalf of the non-FTE person .

2) Use of Unconditional or Conditional Gift Funds. When a donor requests that a gift be used for research on a specific disease or activity without further specification as to its purpose or manner of use, the gift is considered unconditional and may be used to carry out the mission of the recipient IC relating to research into that specific disease or activity. A gift will be considered as conditional if the donor restricts its purpose to support a specific research study, project, or conference; to support activities of an NIH employee/staff identified by name or organization title; or for specifically identified functions. Therefore, when the above parameters are met, gift funds may be used to pay for necessary travel expenses under the same regulations and procedures as those used by appropriated funds for attendance at conferences

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and similar events. The gifts should be properly authorized and should be administered through the appropriate channels of fund control. The appropriate authorizing official should adhere to these guidelines (See NIH Manual Issuance 1130, Delegations of Authority Finance #5 and NIH Manual Chapter 1135 “Gifts Administration”).

3) Acceptance of Travel and Related Expenses From a Nonfederal Source.

NIH Policy. Since Non-FTE persons, in line with their respective signed agreements (NOTE: Non-FTE persons do not sign a formal service agreement, i.e., HHS-355), are to abide by the policies that govern employee conduct as provided in the Standards of Ethical Conduct Agreement, the rules of which are contained in 5 CFR Part 2635, it is NIH policy that a non-FTE person may accept travel and related expenses from a nonfederal source only under the conditions outlined in Appendix 10A “Sponsored Travel of Non-FTE Persons Question and Answer Guidance” of NIH Manual 1500. In addition, a non-FTE person accepting such expenses must do so via the Acceptance Letter Process which can be referenced as Appendix 10 of NIH Manual 1500. **The NIH can not accept travel and related expenses from a nonfederal source via the HHS-348 mechanism, on behalf of a non-FTE person.**

4) Use of CRADA Funds.

Travel relative to the CRADA funded from a CRADA account in support of the collaborative effort is considered “advisory” travel. If applicable, travel may also be authorized to attend a “meeting or similar function”.

a) In a case where an active CRADA exists and the provision of travel funds relevant to the CRADA is highlighted in the “Contributions” appendix of the agreement, the policies and procedures provided in NIH Manual 1500 Chapter 01-02 are applicable.

b) In a case where an active CRADA exists and either 1) the CRADA does not document the provision of travel funds; or 2) CRADA funds become exhausted; an amendment to the CRADA authorizing the use of CRADA funds for travel or providing additional funds prior to travel being initiated, should be properly executed. Travel by a non-FTE person serving on a CRADA is performed as in (a) above or in line with the guidelines of Appendix 10 and Appendix 10A of this manual. **The NIH can not accept travel and related expenses from a**

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nonfederal source via the HHS-348 mechanism, on behalf of a non-FTE person.

NOTE: The NIH Manual Chapters 1500 and 1130 can be accessed at the following web site: <http://www1.od.nih.gov/oma/manualchapters/>